

PLANNING BOARD MINUTES

MARCH 12, 2014

Town Council Chambers, 350 East Main Rd., Middletown, RI

Board members present:

Gladys Lavine, Chair

Pete Marnane Ron Wolanski, Planning Director

Betty Jane Owen J. Russell Jackson, Assistant Town Solicitor

Matthew Sullivan

John Ciummo

Arthur Weber

Member absent:

Charlene Rose-Cirillo

The meeting was called to order by Ms. Lavine at 6:00pm.

1. Approval of the minutes of the February 12, 2014 regular Planning Board meeting and the February 6, 2014, February 25, 2014, and February 26, 2014 special meetings.

Motion by Ms. Owen, seconded by Mr. Weber, to approve the minutes of the February 12, 2014 regular Planning Board meeting and the February 6, 2014, February 25, 2014, and February 26, 2014 special meetings. Vote: 6-0-0.

2. Correspondence

a. Copy of letter dated February 25, 2014 from the Planning Director to Kevin Flynn, Associate Director, RI Division of Planning, regarding the review of town's new comprehensive plan, once adopted, using interim standards.

b. Letter to the Planning Board dated February 19, 2014 from Maryalice Huggins of 65 Gray Craig Rd., Middletown, RI, regarding subdivision application of George Warren, Plat 127, Lot 2.

c. Letter to the Planning Board dated February 22, 2014 from Andrew K. Reilly of 598 Paradise Ave., Middletown, RI, regarding subdivision application of George Warren, Plat 127, Lot 2.

Motion by Mr. Marnane, seconded by Ms. Owen, to accept the correspondence. Vote: 6-0-0.

3. Public Hearing - George Warren, et. al., Request for combined Master and Preliminary Plan approval for a proposed 2-lot major subdivision of property located a 514 Paradise Ave. Plat 127, Lot 2.

The applicant was not present. Mr. Wolanski stated that the applicant has contacted him and is requesting a continuance to the April 9, 2014 meeting in order to consider revisions to the subdivision design.

Motion by Mr. Marnane, seconded by Mr. Weber, to continue the matter to the April 9, 2014 Planning Board meeting at 6pm. Vote: 6-0-0.

4. Consideration of application - George Warren, et. al., Request for combined Master and Preliminary Plan approval for a proposed 2-lot major subdivision of property located a 514 Paradise Ave. Plat 127, Lot 2.

Motion by Mr. Marnane, seconded by Mr. Weber, to continue the

matter to the April 9, 2014 Planning Board meeting at 6pm. Vote: 6-0-0.

5. Update on activities of the Aquidneck Island Planning Commission. Mr. Ciummo provided an update on the activities of the Aquidneck Island Planning Commission including the proposal to expand the membership. All three municipalities have now approved the expansion of the AIPC Board.

6. Update on BRAC Navy Surplus Land reuse planning process.

Mr. Wolanski stated that the Town of Middletown will continue to work with the Navy to reach agreement on a negotiated sale for the former Navy Lodge parcel.

7. Update on process to complete Comprehensive Plan update.

Mr. Wolanski stated that the subcommittee established to work on the implementation program will continue to meet. The town also continues to seek consultant assistance. The draft implementation program will be presented to the full board once it is completed.

8. Public Hearing - St. George's School, development plan review for a proposed building addition on property located at 372 Purgatory Road, Assessor's Plat 121SW, Lot 39.

9. Consideration of application - St. George's School, development plan review for a proposed building addition on property located at 372 Purgatory Road, Assessor's Plat 121SW, Lot 39.

10. Public Hearing - St. George's School, Request for combined

master plan, preliminary plan and final plan review of a major land development project for a proposed building addition on property located at 372 Purgatory Road, Assessor's Plat 121SW, Lot 39.

11. Consideration of application - St. George's School, Request for combined master plan, preliminary plan and final plan review of a major land development project for a proposed building addition on property located at 372 Purgatory Road, Assessor's Plat 121SW, Lot 39

Motion by Mr. Marnane, seconded by Ms. Owen to combine the public hearings for the development plan review and land development project applications of St. George's School. Vote: 6-0-0.

Motion by Mr. Marnane, seconded by Ms. Owen to open the public hearing. Vote 6-0-0.

The applicant's engineer, Jonathan Stabach of Vanasse Hangen Brustlin, Inc. reviewed the site plan for the proposed development, including site access and stormwater drainage considerations. The parking lot that will be eliminated is no longer needed due to recent expansion of a nearby parking lot.

The applicant's architect, Mike Soucy, discussed the proposed building design. Building elevations and a color rendering were presented. Requested waivers from the building design standards were discussed.

Mr. Weber stated that he was not happy with the design of the building and would prefer to see a design consistent with other buildings on the campus.

Ms. Lavine stated that she would prefer that the design complement the existing buildings on the campus but she understands the desire for a modern design for the science building. She asked whether the primary use of the building will be classrooms or offices.

The applicant responded that the primary use would be classroom space.

Ms. Owen stated that she liked the building design, but was concerned that the proposed exterior materials not result in the building appearing out of place.

Mr. Stabach stated that the construction entrance would be from Purgatory Rd. and construction vehicles would be directed around the periphery of the main campus in order to not adversely impact operations and safety.

Mr. Weber asked about the length of time to complete construction.

Mr. Stabach stated that the project would take approximately two years to complete.

Ms. Lavine asked if any members of the audience wished to address the board. There were none.

Motion by Mr. Weber, seconded by Ms. Owen to close the public hearing. Vote: 6-0-0.

Mr. Wolanski referred the board to his memos which describe the waivers from the design requirements that the applicant is requesting, the recommended conditions of approval, and the required findings of fact.

Motion by Mr. Marnane, seconded by Ms. Owen, to approve the following requested waivers from the design requirements of Article 5

of the regulations:

- **Section 521.2.B - Use of windows that are not true or simulated divided-light windows.**
- **Section 521.2.C - Proposed use of metal siding and a significant amount of glass on each facade of the proposed building addition.**
- **Section 521.2.D – The design includes a flat roof, without the use of a sloped roof design elements. However, the mechanical equipment will be screened from public view.**

Vote: 6-0-0.

Motion by Mr. Marnane, seconded by Mr. Weber, to approve the development plan review, subject to the following conditions:

- 1. Prior to the issuance of town building permits, review and approval of the final revised storm water management plan and calculations must be completed by the town engineer for conformance with town regulations.**
- 2. The landscaping plan must be revised to identify species of proposed trees and other plantings, with review and comments from the Middletown Tree Commission to be addressed prior to permitting.**
- 3. Prior to the issuance of town permits a campus sewer operations and maintenance plan shall be submitted to and approved by the Director of Public Works.**

Vote: 6-0-0.

Motion by Mr. Marnane, seconded by Mr. Sullivan, to make the following findings of fact and to approve the combined master, preliminary and final stages of the land development project application subject to the following conditions of approval:

Findings:

- 1. The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies.**
- 2. The proposed development is in compliance with the standards and provisions of the Town zoning ordinance.**
- 3. There will be no significant negative environmental impacts from the proposed development.**
- 4. The subdivision will not create lots where physical constraints would make building on the lots impracticable.**
- 5. All subdivision lots shall have adequate and permanent physical access to a public street.**

Conditions of approval:

- 1. Prior to the issuance of town building permits, review and approval of the final revised storm water management plan and calculations must be completed by the town engineer for conformance with town regulations.**
- 2. The landscaping plan must be revised to identify species of proposed trees and other plantings, with review and comments from the Middletown Tree Commission to be addressed prior to permitting.**
- 3. Prior to the issuance of town permits a campus sewer operations and maintenance plan shall be submitted to and approved by the Director of Public Works.**

Vote: 6-0-0.

- 1. Public Hearing - Seaview Inn, LLC, development plan review for**

proposed 198 room hotel and suites on property fronting on Aquidneck Ave, Valley Rd., and John Clarke Rd., Assessor's Plat 115, Lots 1x, 5, 53, 54, 55.

2. Consideration of application - Seaview Inn, LLC, development plan review for proposed 198 room hotel and suites on property fronting on Aquidneck Ave, Valley Rd., and John Clarke Rd., Assessor's Plat 115, Lots 1x, 5, 53, 54, 55.

3. Public Hearing - Seaview Inn, LLC, request for combined master plan, preliminary plan and final plan review of a major land development project for proposed 198 room hotel and suites on property fronting on Aquidneck Ave, Valley Rd., and John Clarke Rd., Assessor's Plat 115, Lots 1x, 5, 53, 54, 55.

4. Consideration of application - Seaview Inn, LLC, request for combined master plan, preliminary plan and final plan review of a major land development project for proposed 198 room hotel and suites on property fronting on Aquidneck Ave, Valley Rd., and John Clarke Rd., Assessor's Plat 115, Lots 1x, 5, 53, 54, 55.

Motion by Mr. Marnane, seconded by Ms. Owen to combine the public hearings for the development plan review and land development project applications of Seaview Inn, LLC. Vote: 6-0-0.

Motion by Mr. Marnane, seconded by Ms. Owen to open the public hearing. Vote 6-0-0.

The applicant was represented by attorney David Martland.

Mr. Martland described the project. He noted that two special use

permits are required, one to allow development of the hotel and one to allow development in Zone 1 of the Watershed Protection District. He stated that the conservation commission has requested a site visit. The Technical Review Committee has completed its review and provided the Planning Board with recommended conditions of approval.

The applicant's engineer, Lyn Small of Northeast Engineers & Consultants reviewed the site design plans. She noted that the plans will be revised to address the addition of a fire hydrant requested by the Fire Department, and to revise proposed sewer connections. Pedestrian access will also be added to Valley Road. She described how stormwater would be treated and discharged from the property. Mr. Weber asked how the stream that exists on the property would be impacted.

Ms. Small stated that the stream would not be adversely impacted, and would likely benefit from improved quality of runoff leaving the site following treatment.

Mr. Weber asked if the applicant was aware of RIDOT's plan to install a roundabout at the intersection of Aquidneck Ave., and Valley Rd., and what impact it would have on the project.

Ms. Small stated that they are aware of the RIDOT plan and do not anticipate any impact on the project.

Mr. Weber asked if there was potential to treat town road runoff as part of the stormwater treatment system for the development.

Mr. Martland stated that this potential has been discussed with town staff, but it may not be feasible.

Mr. Sullivan asked if any test pits had been excavated.

Ms. Small stated that no test pits had been excavated.

The applicant described the limits of Watershed Protection District Zone 1 on the property.

Ms. Owen asked if the Conservation Commission had provided any input.

Mr. Martland stated that there was no quorum of the Conservation Commission when they met.

Mr. Marnane asked if the Fire Department has happy with the proposed access to the property.

Ms. Small stated that the plan for access is acceptable to the Fire Department.

Ms. Lavine asked if there was anyone in the audience wishing to address the board.

Steve Younis, owner of property at 187 Aquidneck Ave., stated that his primary concern is traffic and noise and litter that his property experiences. He stated that he has no problem with the proposed development. It will be an improvement over the motel currently operated on the property.

Mr. Martland stated that, regarding traffic impacts, the applicant is investigating the possibility of operating a shuttle service for hotels guests.

Mr. Martland introduced George Gifford, a licensed landscape architect with Gifford Design Group, located in Cumberland, RI. Mr. Gifford described his credentials and experience.

Mr. Gifford addressed the waiver requested by the applicant

regarding parking lot trees and street trees. He stated that the total number of proposed trees on the site would satisfy the requirements of the design standards, but placement would not. The proposed placement of trees is intended to maintain scenic views from the proposed development.

Mr. Weber asked if smaller or slower-growing trees could be substituted in order to meet the intent of the regulations.

Mr. Martland stated that his client would agree to street trees along John Clarke Rd., but wishes to seek the waiver regarding parking lot trees and placement of street trees along Valley Rd. and Aquidneck Ave.

Mr. Wolanski stated that a few board members had indicated a desire for a site visit, and the board is awaiting comments from the Middletown Tree Commission.

It was suggested that a site visit be coordinated with the Conservation Commission and Tree Commission.

Motion by Mr. Marnane, seconded by Mr. Weber to continue the consideration of the development plan review and land development project applications to the April 9, 2014 meeting at 6pm, leaving the public hearing open, and to direct the Town Planner to coordinate a site visit with the Conservation Commission and Tree Commission to be held prior to the April 9th meeting. Vote: 6-0-0.

5. Request of the Zoning Board of Review for an advisory recommendation on an application of Seaview Inn, LLC for a special use permit to allow development within Zone 1 of the Watershed Protection District, as required by section 1106 of the Middletown

Zoning Ordinance. Property fronting on Aquidneck Ave, Valley Rd., and John Clarke Rd., Assessor's Plat 115, Lots 1x, 5, 53, 54, 55.

Motion by Mr. Weber, seconded by Mr. Marnane, to continue this matter to the April 9, 2014 Planning Board meeting. Vote: 6-0-0.

6. Middletown Associates (East Bay Village), development plan review for proposed construction of garages on property located at 969 West Main Rd., Assessor's Plat 106, Lot 142.

The applicant was represented by attorney Robert M. Silva. Mr. Silva described the proposal and stated that the application had been reviewed by the town's technical review committee, which recommended several conditions of approval. A special use permit is required for the alteration to the multi-family development. A zoning variance is also required due to the proposed reduction in open space resulting from the addition of the garages to the site.

The applicant's engineer, Chris Duhamel of DiPrete Engineering reviewed the plans. He referenced a letter from the RIDEM indicating that subject to certain conditions no RIDEM permits would be required. He stated that a tennis court is proposed for removal to offset the increase in impervious area resulting from the project. Since two of the proposed garages are located in a different watershed than the tennis court, increased runoff from those two buildings will be addressed with drainage treatment able to capture the runoff from the 100-year storm from those buildings. Mr. Duhamel reviewed the proposed building design.

Mr. Sullivan asked about the time needed to complete the project.

Brian Tougas, representing the property owner, stated that work will

begin this spring and will take approximately two months to complete.

Mr. Weber asked how the garages will be offered to tenants.

Mr. Tougas stated that the garages will be offered on a first-come first-served basis.

Ms. Owen stated that she is happy to see that the tennis court will be removed as it is directly adjacent to Bailey Brook. She encouraged the applicant to be sure that no construction debris enters the brook.

Motion by Ms. Owen, seconded by Mr. Weber, to forward a positive recommendation to the Zoning Board of Review, subject to the following recommended conditions of approval:

1. Prior to the issuance of town building permits, review and approval of the proposed storm water retention facilities for the proposed garages adjacent to buildings 2 & 3 must be completed by the town engineer.
2. Removal of the tennis court must include removal all materials down to native soil prior to loam and seed.
3. The applicant shall investigate opportunities to provide improved circulation for fire apparatus on the site in cooperation with the Middletown Fire Department.

Vote: 6-0-0.

7. Review and consideration of FY2015-2019 Capital Improvement Program (CIP) for consistency with the Middletown Comprehensive Community Plan.

Mr. Wolanski stated that each year the Planning Board is asked to review the town's proposed capital improvement program and

provide an opinion as to the program's consistency with the Middletown Comprehensive Community Plan. Mr. Wolanski stated that based on his review he did not identify any projects that caused concern. The board is asked to review the list of projects and identify any concerns.

Motion by Mr. Marnane, seconded by Ms. Owen, to find that the proposed FY2015-2019 CIP is not inconsistent with the Middletown Comprehensive Community Plan. Vote: 6-0-0.

Motion to adjourn by Mr. Marnane, seconded by Ms. Owen. Vote: 6-0-0.

Meeting adjourned at 7:50 pm.

Respectfully submitted:

Ronald Wolanski

Planning Director